

F I L E D
U. S. DISTRICT COURT

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16 JUN 03 PM 2:39

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

CALDERA SYSTEMS, INC., d/b/a)
THE SCO GROUP,)
Plaintiff,)
v.)
INTERNATIONAL BUSINESS)
MACHINES CORPORATION,)
Defendant.)
)

) MOTION FOR LEAVE TO FILE
AMENDED COMPLAINT

) Case No. 2:03cv0294

) Honorable Dale A. Kimball

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Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, Plaintiff, Caldera Systems, Inc., d/b/a The SCO Group ("SCO"), hereby seeks leave of this Court to file an amended complaint in this action in substantially the same form as the proposed "Amended Complaint (Jury Trial Demanded)" attached hereto as Exhibit "A."

Plaintiff seeks to add claims related to wrongful actions of IBM subsequent to the filing of the Complaint. Plaintiff also seeks to simplify its pleading and to change the name of Plaintiff to reflect Plaintiff's recent legal change of name.

This motion is supported by Plaintiff's Memorandum in Support of Motion for Leave to File Amended Complaint, which is filed herewith.

DATED this 6 day of June, 2003.

By:



HATCH, JAMES & DODGE, P.C.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16 day of June, 2003, a true and correct copy of the foregoing MOTION FOR LEAVE TO FILE AMENDED COMPLAINT was served on the following counsel of record as indicated below:

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Exhibits/
Attachments
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Please see the
case file.